

# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Montana State Office  
5001 Southgate Drive, P.O. Box 36800  
Billings, Montana 59107-6800  
<http://www.mt.blm.gov/>

In Reply To:

1120 (912) P

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To: State Management Team

From: Director, External Affairs

Subject: Briefing Statement Revisions

**DD: January 28, 2005**

It is time again to review and update the Montana/Dakotas BLM Briefing Statements. These briefs are an invaluable source of public information about highly visible and sometimes controversial programs within our organization. They are used frequently by the Secretary of the Interior, congressional offices, news media, and interest groups affected by BLM programs.

A table of contents showing the date of the most recent review/update is attached, as well as a copy of each briefing statement for your program area. When deciding to add or delete a particular briefing statement, keep in mind that the briefing book is intended to focus only on issues that are highly visible and/or controversial, not on general programs.

Review the briefing papers carefully and completely rather than just appending with the latest information. Briefing statements should be concise; they may be edited for length and clarity. Also, please make sure the correct contact person is listed.

Please send a copy of your update, recommendation for deletion, or "no change" response for each statement pertaining to your area to Ann Boucher (MT912) by January 28, 2005. If you have any questions, please contact Ann at 406-896-5011.

Signed by: Donald S. Smurthwaite, Supervisory Public Affairs Specialist

Authenticated by: Ann Boucher, External Affairs

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## **INTERAGENCY OFF-HIGHWAY VEHICLE PROJECT**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

- The BLM and Forest Service issued a final environmental impact statement (EIS)/plan amendment January 5, 2001. The FS issued its Record of Decision at that time. The BLM received eight protests on the EIS and resolved them in May 2003. BLM issued its ROD June 18, 2003.
- The decision restricts motorized wheeled cross-country travel on 5.8 million acres in Montana, North Dakota and South Dakota.
  - Exceptions: emergency and necessary administrative use; lease and permit holders subject to the provisions of their permits or leases; camping within 300 feet of roads or trails; disabled access per the Rehabilitation Act of 1973; and firewood and Christmas tree cutting in specific areas where allowed by the local office.
- The ROD amends nine BLM land use plans in Montana and the Dakotas.

### **ISSUES:**

- The BLM and FS Northern Region administer 26.6 million acres in Montana/Dakotas (BLM 8.4, FS 18.2).
- OHV traffic has increased 92 percent since 1990; many land use plans were written prior to 1990.
- When the EIS process began, 16 million acres were open to motorized cross-country travel, which could allow the spread of noxious weeds, create user conflicts, cause erosion, damage cultural sites, and disrupt wildlife and wildlife habitat.
- The goal of the EIS/plan amendment is to prevent these problems and take the first step towards the long-term goal of designating routes through site-specific planning.

### **MAIN DECISION OR MESSAGE:**

- Through site-specific planning, the BLM and FS will inventory, map, analyze and designate roads and trails as open, seasonally open, or closed.
- The BLM prioritized 19 high priority and 23 moderate priority planning areas. Butte and Dillon Field Offices are addressing travel management in their ongoing RMPs. The BLM is involving the public and the RACs in the prioritization and site-specific planning.
- Site specific travel planning for the remainder of the Montana/Dakotas will be initiated for:
  - High Priority Areas: within 2 years.
  - Medium Priority Areas: within 5 years.
  - Low Priority Areas: as resources are available.
- Additional funding will be necessary to complete site-specific planning, signing, and maintaining the site-specific planning schedule. Any decisions to close roads will be made as part of the site-specific plans.

### **BUREAU PERSPECTIVE:**

Where BLM, FS, and State of Montana lands are intermingled, OHV users will now have consistent rules.

**CONTACT:** Cindy Staszak 406 896-5039

## **LEWIS AND CLARK BICENTENNIAL**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

- The 200th Anniversary of the Lewis and Clark (L&C) Expedition is 2003-2006.
- The L&C Bicentennial is a national initiative that spans multiple jurisdictions and involves local communities, tribal governments and private organizations.
- The Bicentennial is expected to draw enthusiasts from across the country and abroad, placing significant pressure on public lands along the Lewis and Clark National Historic Trail (NHT).
- Because of the significant land base managed by Montana BLM, the Bicentennial is an incredible opportunity for our agency to increase public awareness about BLM, natural resources and stewardship.
- Visitors to public lands along the L&C NHT will leave with an impression of how public lands are managed. All phases of our planning will deliver powerful messages to the visiting public.
- Two of the five national signature events planned for our three-state area depend heavily on BLM-administered lands. In 2005, "Explore! The Big Sky" will use BLM lands extensively for the opening ceremonies and other key elements of this 34-day event. In 2006, "Clark on the Yellowstone" will occur entirely at Pompeys Pillar National Monument.

### **ISSUES:**

- BLM manages about 330 miles of land along the L&C NHT—more than any other federal land-managing agency. Of the 330 BLM miles, 310 are in Montana and include nationally significant segments such as Pompeys Pillar and the Upper Missouri River Breaks national monuments.
- Montana BLM initiated planning efforts in 1996 to prepare for the increased visitation and publicity. From that effort we developed a strategy plan involving the following key components: Trail Protection/Restoration; Enhancing the Visitor's Experience, American Indian Involvement, and Partnerships.
- The strategy identifies projects and opportunities that are compatible with our mission and responsive to local needs.

### **MAIN DECISION OR MESSAGE:**

- In order to be ready, we have completed needed infrastructure projects.
- Early in our preparations for the Bicentennial, we developed a e developed a tiered (priority) system to manage the program effectively. Top tier projects would receive priority attention while second tier projects would be initiated if additional support becomes available. Funding in past years has not been enough to implement tier 1 projects.
- Funding levels for our two monuments, which are integral parts of the L&C NHT, are not adequate; this further constrains our L&C efforts for other travel segments.
- With the Bicentennial now being commemorated in our three-state area, we have shifted funding priorities from infrastructure improvements to a more operational emphasis.
- We need adequate resources to ensure safety, security, and protection on-the-ground.
- We are seeking alternative funding opportunities for the entire program through partnerships with other agencies and private organizations.

### **BUREAU PERSPECTIVE:**

- The Corps of Discovery spent more travel time in Montana than in any other state and recent visitor projection surveys indicate that thousands will retrace its footsteps.
- Key partners include Montana L&C Bicentennial Commission, National L&C Bicentennial Commission, the National L&C Trail Heritage Foundation, and our private sector partners in the five national signature events in our three-state area.
- Local economies will benefit from increased tourism. However, many challenges are associated with increased visitation to public lands. BLM needs to be prepared.
- BLM will continue to work with our partners to address resource needs to provide quality, safe visitor experiences and maintain the integrity of the trail.

### **CONTACT:**

Richard Fichtler 406 329-3884

## **UNDAUNTED STEWARDSHIP**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

- BLM's FY2004 budget includes approximately \$1 million to fund projects related to the Lewis and Clark National Historic Trail under the Undaunted Stewardship umbrella.
- In the past, Undaunted Stewardship funding was an add-on appropriation and did not impact Bureau funding levels. In 2004, the program was funded instead as a directive.

### **ISSUES:**

- The Undaunted Stewardship concept came from Montana's ranching and agricultural community.
- It was initiated to recognize the stewardship of private landowners that has resulted in many areas along the Lewis and Clark Trail remaining undeveloped and closely resembling what Lewis and Clark saw during their expedition through the state.
- Another aspect of Undaunted Stewardship is to develop on-the-ground projects with private landowners that will further enhance the natural resources along the trail.
- As a member of the executive council, BLM has helped develop agreements that:
  - Lay out a methodology to prioritize and select projects for funding;
  - Create the means to fund projects through the University when needed;
  - Encourage the use of partnerships with other organizations to leverage available funding.
- This program, working with private landowners, develops management plans and kiosks. It has also identified projects to showcase outstanding land stewardship practices on 12 Montana ranches in addition to a certification program which recognizes sound grazing practices.

### **MAIN DECISION OR MESSAGE:**

- Although Undaunted Stewardship funding was made as an earmark to BLM's budget, the intent is not to use this money for projects that would traditionally be funded by regular BLM appropriations. The BLM, Montana State University, Montana Stockgrowers, and an advisory board jointly select projects that meet the criteria of the Undaunted Stewardship initiative, which is aimed at showcasing stewardship on private lands.

### **BUREAU PERSPECTIVE:**

- The Montana Stockgrowers Association was instrumental in obtaining the Undaunted Stewardship appropriation and serves on the executive council.
- Several conservation groups are involved in the process and will offer advice concerning projects along the Missouri and other rivers and streams along the Lewis and Clark Trail.
- Montana State University is providing outreach and research and science assistance for the development and implementation of projects. It is also assisting private landowners in developing management strategies.

### **CONTACT:**

Howard Lemm 406 896-5117

## **INTERPRETIVE CENTER AT POMPEYS PILLAR NATIONAL MONUMENT**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

- Pompeys Pillar National Monument has been designated by the National Lewis & Clark Bicentennial Council as the site of one of only 15 national Lewis & Clark Signature events nationwide. The Pompeys Pillar Signature event will be in July 2006.
- Construction has begun on a 5,700-square foot new interpretive center and related infrastructure improvements. Two Congressional appropriations, totalling 4.9 million dollars have made this project possible. The new interpretive center and exhibits will be completed in the summer of 2005.

### **ISSUES:**

- Pompeys Pillar is a 121-foot sandstone butte 28 miles northeast of Billings, Montana. The only known physical evidence of the Lewis and Clark expedition still visible along the trail is Captain Clark's signature which he carved into the Pillar on July 25, 1806. He recorded doing so in his journal.
- The BLM purchased Pompeys Pillar November 22, 1991, for its historic significance and its interpretive and recreational potential.
- In 1992, the BLM constructed limited facilities for the protection of resources and the comfort and safety of visitors. Facilities included a small log contact station and a stairway to Clark's signature and the top of the Pillar.
- The Pompeys Pillar Historical Association has worked closely with BLM in the acquisition, operation and development of this site. It has also agreed to raise \$2 million to match an FY1999 \$2 million Congressional appropriation to go toward the construction of a new interpretive center.
- In FY2002, Congress appropriated an additional \$2.9 million for construction of the center.
- The site's designation as a national monument on January 17, 2001, was widely supported.

### **MAIN DECISION OR MESSAGE:**

We need to remain cognizant of our ability to fund annual operation and maintenance costs. We will need to explore all available means to provide funding to keep the center open, especially since the community has expressed a strong desire to have a year-round facility operation.

### **BUREAU PERSPECTIVE:**

- Public interest is high regarding both the site itself and construction of an interpretive center.
- Feedback from public meetings, briefings for elected officials, and public comment letters has been generally favorable.

### **CONTACT:**

Richard Kodeski    406 896-5235

**UPPER MISSOURI RIVER BREAKS NATIONAL MONUMENT  
INTERPRETIVE CENTER**

**PURPOSE OF THE BRIEFING DOCUMENT:**

- The community of Fort Benton has proposed a new visitor center to replace the BLM's existing visitor contact station.
- Congress has appropriated \$2.5 million for construction of a new facility. However, BLM is concerned about long-term funding for operations, maintenance and staffing.
- BLM is planning a 5,250-square foot center located on a 3.64-acre site adjacent to the Missouri River which will be donated by the City of Fort Benton when the building is complete.

**ISSUES:**

- The need for improved visitor facilities surfaced in the late 1980s.
- BLM's current 750-square foot visitor contact station is in Fort Benton's downtown area in a small, converted house that is more than 100 years old.
- As the head of the 149-mile Upper Missouri National Wild and Scenic River and the Upper Missouri River Breaks National Monument, Fort Benton is experiencing increased tourism that is being fed by the approaching Lewis and Clark Bicentennial.
- Tourism provides an economic boost to the local economy, but there is also recognition of infrastructure needs such as an improved visitor center.

**MAIN DECISION OR MESSAGE:**

- BLM has prepared an environmental assessment that analyzes development of the visitor center. The EA has been reviewed by the public and after revision, finalized.
- Split Rock Studios has completed the interpretive prospectus. Meetings were held in Lewistown and Fort Benton in late June 2003 concerning interpretive themes.
- Kadrmas, Lee, and Jackson and CTA (A&E firms) are nearly done with the the building design.
- Explus and Mainstreet Design are designing the interpretive displays.

**BUREAU PERSPECTIVE:**

- Local public interest is high.
- The concept of a new visitor center has support from both county and city officials. However, these local partners have questioned the amount of local support, such as in-kind services, that will be needed to augment BLM's limited capabilities to fund operation and maintenance costs.

**CONTACT:**

Gary E Slagel, Upper Missouri River Breaks National Monument Manager, 406 538-7461

## **SHEPHERD AH-NEI OHV CLOSURE AND TRAVEL MANAGEMENT PLANNING**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

The BLM's Shepherd Ah-Nei recreation area near Billings is a very popular destination for a variety of recreationists, including off-highway vehicle riders. An adjacent private landowner filed suit in 2002 claiming that current use was causing resource damage, noise, increased fire danger, and impacts to wildlife.

The OHV portion of Shepherd Ah-Nei is comprised of 1,115 acres, 640 of which were acquired in a land exchange in 1994. In April 2004, the judge in the case ordered the 640 acres closed to OHV use because the BLM had failed to designate trails as open, limited, or closed when the land was acquired. Because no boundary or fence exists between the 640 acres and the rest of the OHV area, the entire area was closed to OHV use to ensure compliance with the judge's order.

### **ISSUES:**

Issues include the impacts caused by OHV use--noise, resource (including cultural) damage, litter, erosion, and displacement of wildlife. The area also provides one of the few opportunities for OHV use near the city of Billings, and it is now closed during the highest-use season.

### **MAIN DECISION OR MESSAGE:**

According to the 2003 Montana/Dakotas OHV EIS and Plan Amendment, each field office was to select high priority areas for travel management planning. The Billings Field Office selected four high priority areas, one of which was Shepherd Ah-Nei. The field office had planned to work on the four travel management plans simultaneously, but because of the court order, it has made Shepherd Ah-Nei its first priority. Work is underway on the preparation of an environmental assessment and plan with hope that it will be completed in the fall of 2004 and the area re-opened soon thereafter. The field office is asking the OHV community to assist in the development of the plan.

### **BUREAU PERSPECTIVE:**

The BLM wants to provide OHV opportunities and is committed to getting the area re-opened as soon as possible while at the same time mitigating the resource concerns.

### **CONTACT:**

Sandy Brooks, Billings Field Manager, (406) 896-5262



## **BUTTE RESOURCE MANAGEMENT PLAN (RMP) REVISION**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

The Butte Field Office will be revising the Headwaters Resource Management Plan (RMP) over the next three years. Because the new RMP will apply only to the lands in the Butte Field Office area (instead of being split between the Butte and Lewistown field offices as the Headwaters RMP is), the new document will be called the Butte RMP. Land under the jurisdiction of the Lewistown Field Office will continue to be managed under the Headwaters RMP.

### **ISSUES:**

The issues and management concerns are based on the Preparation Plan and public scoping results. Preparation of the RMP will afford many opportunities for collaboration with local, state, federal and tribal governments and land management agencies, public interest groups, and public land users. As a result, issues and concerns may need modification during this process.

Issues identified are: vegetation management, special status species, water quality/quantity/aquatic species, travel management and access, special management area designations (wild and scenic rivers, wilderness study areas, areas of critical environmental concern), commercial uses (including oil and gas), and land ownership adjustments. Other management concerns identified for the RMP revision include: air quality, abandoned mine lands, soil resources, cultural and paleontological resources, visual resource management, and social/economic concerns.

### **MAIN DECISION OR MESSAGE:**

In December 2002 the Montana State Office approved a Preparation Plan; in August 2003 a contractor (Tetra Tech) was hired to assist in the preparation of the Butte RMP. Public scoping began December 19, 2003, with the publication of the Notice of Intent (NOI), and ended February 17, 2004. A scoping report has been completed and will be available on the internet. The field office is currently developing the Analysis of the Management Situation (AMS) and working on travel planning. The proposed action and alternatives will be developed in FY 2005, with a draft EIS being released in FY 2006.

The State of Montana, eight counties, and four Native American tribes were invited to be cooperating agencies in this process, but no official agreements were signed. Although agencies and tribes want to stay informed during the RMP process, none wish to be a formal cooperating agency, mostly due to budget and time constraints. The Butte FO will work closely with the counties, tribes, public, Forest Service, U.S. Fish and Wildlife Service, EPA, and the Western Montana Resource Advisory Council throughout the RMP process.

### **BUREAU PERSPECTIVE:**

Public interest is expected to be high because the RMP will set the direction for how the field office will be managed over the next 10-15 years. There is growing concern (based on past and current projects) over the management of roads and trails, wildlife and vegetation, fuels, and special area designations.

### **CONTACT:**

Ruth Miller, Planning and Environmental Specialist, (406) 533-7645; or go to <http://www.mt.blm.gov/bdo/rmp/index.htm>.

## **DILLON RESOURCE MANAGEMENT PLAN**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

The Dillon Field Office in southwestern Montana released the Draft Dillon RMP/EIS in April 2004. Once approved, this plan will replace the management framework plan (MFP) approved in 1979.

The Draft RMP/EIS contains four alternatives. It identifies land use allocations and provides guidance for about 902,000 surface acres and 1.3 million acres of federal mineral estate. The public comment period ended July 12, 2004. Comments will be used to review alternatives and make adjustments in order to release a Proposed RMP/Final EIS in the spring of 2005 and a Record of Decision by September 2005.

### **ISSUES:**

Statutory, regulatory, policy and socioeconomic changes have occurred since the completion of the Dillon MFP in 1979. This was Montana's top planning priority, and funding became available in 2001 to begin the RMP process. Early on, Beaverhead County joined the effort as a cooperating agency; Madison County committed to the process late in 2002.

Issues to be addressed in the new RMP are related to threatened, endangered and sensitive species; changes in intensity of uses on public lands; vegetation management and fuels reduction; travel management; special management designations; and the general increasing demand for public lands and resources in the planning area.

Scoping was conducted in FY 2001 and into FY 2002; this included several open house meetings throughout the planning area.

An information fair was held in the spring of 2002 to share information about the ongoing planning process and data to be used in the RMP.

The Western Montana Resource Advisory Council (RAC) convened three subgroups between March and September 2002 to assist BLM with evaluations of potential Areas of Critical Environmental Concern (ACECs), Wild and Scenic Rivers, and travel management options.

Beaverhead and Madison counties along with the Montana Consensus Council hosted nine Focus Question Workshops during February 2003 to collect recommendations to assist the RMP planning team with alternative development. Alternatives were finalized and impacts assessed through the remainder of 2003, with the Draft RMP/EIS released in April 2004 for a 90-day public review and comment period.

### **MAIN DECISION OR MESSAGE:**

The comment period for the Draft Dillon RMP/EIS closed July 12, 2004. The planning team will review and analyze the comments received and make adjustments to alternatives and other parts of the document as warranted. A Proposed RMP and Final EIS will be developed and released in April 2005, followed by a 30-day protest period and the Governor's Consistency Review. A Record of Decision and Approved Plan is scheduled for release in September 2005.

### **BUREAU PERSPECTIVE:**

The Dillon RMP was developed with unprecedented public involvement measures. Initially, the Montana Consensus Council assisted BLM in developing public participation strategies based on suggestions made by the public. The MCC also assisted the Western Montana RAC in convening subgroups to work on ACEC nominations, Wild and Scenic Rivers, and travel management.

Beaverhead and Madison Counties served as formal cooperating agencies in the planning process, guided by memoranda of understanding. The Western Montana RAC has been extensively involved in development and review of the Draft RMP/EIS.

Coordination has continued throughout the process with federal and state agencies, including, but not limited to, the Agricultural Research Service, Bureau of Reclamation, Forest Service, Montana Fish, Wildlife and Parks, and the Montana Department of Natural Resources and Conservation. Tribal consultation has been ongoing with the Confederated Kootenai and Salish Tribes of the Flathead Reservation and the Shoshone-Bannock at Fort Hall, Idaho.

Other interests include:

- several national and state-level conservation and environmental organizations;

- state and local officials, especially at the county level;
- the local ranching and agricultural community;
- recreationists, especially hunters;
- wilderness and wildlife advocates;
- users in the oil and gas, utility, mining and timber industries;
- other state and federal management agencies.

**CONTACT:** Renee Johnson    406 683-8016

**JUDITH-VALLEY-PHILLIPS OIL AND GAS SUPPLEMENTAL RESOURCE MANAGEMENT PLAN AND ENVIRONMENTAL IMPACT STATEMENT (RMP/EIS)**

**PURPOSE OF THE BRIEFING DOCUMENT:**

In response to a protest received on the final Judith-Valley-Phillips RMP/EIS, the BLM is preparing an Oil and Gas Supplemental RMP/EIS to evaluate the need to avoid leasing in areas with valuable wildlife habitat. The supplemental RMP/EIS, along with the final RMP/EIS, will be the basis for a record of decision (ROD) to lease with appropriate stipulations to protect resources, or not to lease because of sensitive resources which cannot be protected with stipulations. The BLM is currently preparing a biological assessment for threatened and endangered species and expects to issue the final Supplemental RMP/EIS in 2005.

**ISSUES:**

The BLM is responsible for oil and gas leasing on BLM-administered subsurface in northcentral Montana in Fergus, Petroleum, Judith Basin, Phillips, and Valley counties and the southern portion of Chouteau County. The BLM expects continued interest in oil and gas exploration and development.

In September 1988, the National Wildlife Federation (NWF) protested the BLM's issuance of oil and gas leases in Montana claiming an inadequate analysis under the National Environmental Policy Act and non-compliance with the Endangered Species Act. The BLM's November 1988 decision on this protest was that BLM would suspend lease issuance on tracts with special wildlife stipulations until a new RMP/EIS was completed meeting the Bureau's supplemental program guidance.

In September 1988, the BLM issued a notice of intent to prepare an RMP/EIS for public lands in northcentral Montana. One of the issues identified for the RMP was oil and gas leasing. The draft RMP/EIS was released for public comment in July 1991. The NWF raised the concern that the November 1988 decision was not mentioned, much less identified as a practical alternative. The BLM's response to this comment was that areas nominated for lease which would require special stipulations to protect wildlife would not be offered for lease, but this was an interim policy until the RMP/EIS was completed and not an alternative.

In December 1992 the BLM released the final RMP/EIS, which evaluated the types of stipulations needed on oil and gas leases to protect other resources, for a 30-day protest period. In January 1993, the NWF protested the final RMP/EIS because the document neither mentioned the 1988 decision nor identified an alternative of carrying the temporary arrangement forward to avoid leasing valuable wildlife habitat. After careful review of this issue, the state director decided that the protest warranted a supplement to the final RMP/EIS addressing an alternative for oil and gas leasing that would avoid leasing valuable wildlife habitat.

**MAIN DECISION OR MESSAGE:**

The supplemental RMP/EIS addresses two additional alternatives for oil and gas leasing on 3.1 million acres in northcentral Montana. One alternative would avoid oil and gas leasing in areas with valuable wildlife habitat. The other alternative would provide for oil and gas leasing while protecting other resource values through stipulations or closing areas where resource values are not compatible with exploration and development.

**BUREAU PERSPECTIVE:**

In April 1998, the BLM mailed the draft Oil and Gas Supplemental RMP/EIS to approximately 500 agencies, organizations, and individuals for a 90-day public comment period. The BLM received 10 comment letters.

**CONTACT:**

Jody Miller, Archeologist, (406) 228-3750

## **UPPER MISSOURI RIVER BREAKS NATIONAL MONUMENT RESOURCE MANAGEMENT PLAN**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

- The Lewistown Field Office is working on a resource management plan (RMP) for BLM land in the Upper Missouri River Breaks National Monument.
- The RMP will guide resource decisions on approximately 375,000 acres of BLM land.
  - The schedule:
    - 2002 -- conducted public scoping and began collecting data;
    - 2003 -- collected data and developed alternatives;
    - 2004 -- develop alternatives and estimate effects;
    - 2005 -- estimate effects and release draft RMP/EIS
    - 2006 -- respond to comments and release a final RMP/EIS and Record of Decision

### **ISSUES:**

- On January 17, 2001, the president designated the Upper Missouri River Breaks National Monument with a Presidential Proclamation.
- The proclamation recognizes the spectacular array of biological, geological and historical resources found on public lands in this area.
- The designation presents the public and BLM with an important opportunity to prepare a management plan to establish guidance, objectives and management actions for these lands and resources.
- The proclamation also emphasizes that the BLM will remain the managing agency for these public lands.
- The BLM is responsible for seeking public input and using that information throughout the RMP and EIS planning process.
- Scoping was the first stage of the planning process and closely involved the public with identifying issues, providing resource and other information, and developing planning criteria to guide preparation of the RMP. Our scoping process included 11 public meetings in July 2002, and generated 5,700 letters and emails.
- The scoping process identified these issue categories:
  - Access and Transportation
  - Health of the Land and Fire
  - Natural Gas Exploration and Development
  - Visitor Use, Services and Infrastructure
- In July 2003, the BLM hosted 11 workshops across north-central Montana to gather management ideas from interested members of the public. The alternative development process generated 7,200 letters and emails.
- In March 2000, Montana Wilderness Association (MWA) filed suit in District Court contending that three oil/gas leases (issued in 1999) within the Monument were issued with an inadequate leasing document (West HiLine Resource Management Plan). In March 2004, the judge ordered the BLM to prepare an EIS for the oil and gas leasing program that covers the three leases as well as a biological assessment of the leasing program; the judge also ordered the BLM to consult with all Native American Tribes. As a result of the judge's order, BLM has decided to delay the RMP for 9-12 months in order to include an analysis of 12 existing oil and gas leases within the monument.

### **MAIN DECISION OR MESSAGE:**

- This RMP is a multi-year process that will require an ongoing commitment of agency resources.

### **BUREAU PERSPECTIVE:**

- Public interest is high both locally and nationally. About 6,600 people and organizations are on the RMP mailing list.
- The conservation community and those involved in the tourism industry continue to support the monument designation.
- Those involved with agriculture along the river or in the uplands fear the monument designation will impact their ability to use their private land and/or their BLM grazing permits within the monument.
- American Indian tribes are concerned about protecting cultural sites within the monument.

### **CONTACT:**

Gary E Slagel, Upper Missouri River Breaks Monument Manager, 406 538-7461

## **BADGER-TWO MEDICINE APPLICATIONS FOR PERMIT TO DRILL (APDS)**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

There is renewed interest in drilling at the former Fina exploratory drilling site on the Rocky Mountain Ranger District, Lewis & Clark National Forest. Sidney Longwell now holds the lease on which Fina Oil and Chemical Company first proposed an exploratory well in 1983. The proposed well is located at the northern edge of the Lewis & Clark NF Rocky Mountain Ranger District in the Hall Creek drainage within an area known as the Badger-Two Medicine.

### **ISSUES:**

The BLM decides whether or not to approve applications for permit to drill (APDs) on federal leases. On National Forest land, however, the Forest Service has primary responsibility for surface related issues while the BLM has primary responsibility for "down hole" issues.

The APD for the well site was approved in 1991 after the Forest Service conducted several environmental analyses; an EA was completed in 1985 and a Final EIS was completed in 1990. The National Wildlife Federation and six other groups sued the Forest Service. The drilling approval and lawsuit were suspended while the Forest Service gathered information and analyzed the cultural and religious significance of the area to Native American Tribes. An area in the Badger-Two Medicine of about 90,000 acres was identified as having traditional cultural importance to the Blackfeet Tribe. In January 2002, the Keeper of the Register of National Historic Places determined this site as eligible for listing on the National Register of Historic Places. The drilling proposal is located roughly 2 miles north of the current district boundary.

### **MAIN DECISION OR MESSAGE:**

The Forest Service is the lead agency for evaluating possible impacts of the proposed drilling on properties that have cultural and religious significance to Native American Tribes, as well as ensuring that any other new information since the 1991 decision is considered. The following steps must be taken:

- A review of new information since the decision was made (for example, traditional cultural district, listing of lynx as threatened species),
- A determination as to whether the new information has a bearing on the 1991 decision to approve the drilling, and
- A determination whether the new information requires a revision, correction, or supplement to the previous analysis.

If a review of the new information indicates there is no need to supplement or revise the current decision, approval of the proposal would remain under the terms and conditions established in the 1991 decision. If there is a need to supplement the analysis, a draft supplemental EIS would be developed for public review. The lease suspension will continue until conclusion of these reviews.

The Forest conducted surveys to determine whether newly identified threatened, endangered or sensitive species or their habitat could be impacted by the proposal. A survey of goshawk territories, potential amphibian habitat, and sensitive plants has been completed. Preliminary review of this data indicates no new projected impacts from the drilling proposal. The Forest is also working closely with the Blackfeet Tribe and other consulting parties to identify possible impacts from the proposal to the Traditional Cultural District. An area of potential impacts from the drilling proposal was tentatively identified and the Forest requested review and any additional information from consulting parties. The Blackfeet Tribe provided new information with respect to traditional cultural uses in the Hall Creek area, including additional documentary sources and ethnographic information that warrants further research. The Forest has contracted for additional ethnographic review, including continued dialogue with Blackfeet elders and Tribal government, to identify whether new information indicates a need to reevaluate potential impacts from the drilling proposal and/or the current boundaries of the Traditional Cultural District.

The Devon Operating Company has a pending APD (a lease formerly held by Chevron) nearby in the Goat Mountain Area that will require a similar review.

### **BUREAU PERSPECTIVE:**

Public interest is very high. National organizations are involved, and decisions occasionally get statewide attention. Demonstrations of opposition were staged in Great Falls and Missoula, Montana, following the 1993 decision to approve the APD. Senator Baucus introduced Senate bill 1616 on February 5, 1998, and Senate bill 984 on May 1, 2003, to authorize exchange of existing federal oil and gas leases, including those within the Badger-Two Medicine, for federal oil and gas lease sale bidding credits or payments due on existing leases. Neither bill passed.

**CONTACT:**

Don Judice Field Station Supervisor 406 791-7789

## **BLACKLEAF PROJECT EIS**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

Work on an environmental impact statement to analyze Startech Energy, Inc.'s (Startech) proposal to drill for natural gas in the Blackleaf area of the Rocky Mountain Front has been halted indefinitely. The Department of the Interior made this decision in consultation with the BLM.

A Notice of Intent to commence the preparation of the Blackleaf Project EIS was published in the Federal Register April 15, 2004. Formal public scoping was conducted April 15 through June 1, 2004, and BLM and its contractor were beginning to develop a draft EIS.

### **ISSUES:**

The Blackleaf Study Area is located along the Rocky Mountain Front 75 miles northwest of Great Falls. It contains about 40,327 federal mineral acres (about half of which are leased) and 18,176 state and private mineral acres.

The Blackleaf area provides habitat for a variety of wildlife, including several threatened and endangered species; contains important cultural heritage resources and outstanding scenic qualities; provides a variety of recreational opportunities; is important to the tourist industry; and contains a significant amount of natural gas reserves. Any development proposal in the area is highly controversial locally, regionally and nationally.

The area has three shut-in gas wells, but analysis indicates that substantial reserves remain and there is a high potential for more gas discoveries and production. From 1982 through 1991, total production from four wells in the Blackleaf area was 7 billion cubic feet of natural gas and 33,400 barrels of oil.

Encouraged by the rise in natural gas prices, three companies had staked a total of four well locations. Startech proposed three wells from one location in the Blindhorse Outstanding Natural Area (ONA) about 3 miles from three shut-in gas wells. The Startech lease predates the ONA designation.

Grizzly Resources proposed 4 wells from two locations on its lease located on U.S. Forest Service lands adjacent to the Blackleaf Unit. However, the company's applications were returned unapproved because it failed to submit the necessary information for a complete application. Effective February 20, 2004, the Grizzly Resources lease suspension was terminated, and subsequently, the lease was cancelled for non-payment of rental fees.

Rutter and Wilbanks Corp. proposed drilling one well on its lease; however, the company's application was also returned unapproved because it failed to submit the necessary information for a complete application. Effective February 3, 2004, the Rutter and Wilbanks Corp. lease suspension was terminated. The leaseholder elected not to pay the rental to continue the lease, and the lease was cancelled in March 2004.

### **MAIN DECISION OR MESSAGE:**

There are two primary reasons for stopping the work.

- First, due to the controversial nature of drilling on the Rocky Mountain Front, it seemed likely, that regardless of the outcome of the EIS, court challenges would follow, making actual energy production something that would take place many years in the future, if at all.
- Next, by stopping work on the Blackleaf EIS, it will allow us to focus on other planning efforts, particularly the West HiLine, which was scheduled to begin in five years. The area covered by the West HiLine has 850 authorized leases, so it is more effective for us to concentrate on it, and better to meet America's energy needs.

### **BUREAU PERSPECTIVE:**

There may be a better resolution of the issue than the EIS process. Stopping work on the EIS will give all parties a chance to step back and look at other alternatives to resolve the issues of energy development in the Blackleaf area. Some of the alternatives could include providing the lessee with credits toward other BLM leases; buying out the lease; exchanging the lease for other public land lease; or completing the EIS in the future. There may be other ideas and alternatives that haven't surfaced yet. We hope to hear them as well. BLM does not have the authority to begin work on buying out or exchanging. That course of action would need to be initiated through the lessee, Startech, and Congress.

### **CONTACT:**

Lynn Ricci 406 538-1922



## **COAL BED NATURAL GAS DEVELOPMENT**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

The coal bed natural gas (CBNG) industry is beginning to develop this resource in southeastern and south central Montana – primarily in the Powder River Basin.

### **ISSUES:**

In order to analyze conventional oil and gas and full field CBNG development, the BLM and the State of Montana (Department of Environmental Quality and Board of Oil and Gas Conservation) prepared a joint environmental impact statement (EIS) and resource management plan (RMP) amendment. Concurrently, Wyoming BLM developed a similar EIS.

Montana BLM's Record of Decision was issued April 30, 2003. Several lawsuits were filed after release of the Montana and Wyoming RODs. While some litigation is still pending, no court rulings have been issued that would change any decisions made in Montana's EIS.

Both the Montana and Wyoming RODs outlined the use of an interagency working group. Working group organizational meetings have been held since June 2003, in Sheridan, Wyoming. Interagency task groups for water, air, aquatics and wildlife have also been formed.

The Powder River RMP area encompasses about 2,522,950 BLM-administered oil and gas acres. The Billings RMP area encompasses about 662,066 BLM-administered oil and gas acres in the south-central portion of Montana.

The State of Montana's planning area was statewide with emphasis on the BLM planning areas and three areas in Blaine, Park and Gallatin counties. For analysis purposes, BLM and the State of Montana predicted that approximately 10,000 to 26,000 coal bed natural gas wells could be drilled in the state over the next 20 years in addition to a number of conventional oil and gas wells.

### **MAIN DECISION OR MESSAGE:**

BLM Montana continues to process drilling applications as they are received, preparing additional, site-specific environmental documentation as needed.

Monitoring and mitigation are vital for ensuring that the decisions made in the EIS/RMP amendment adequately protect the affected environment. Protection measures and best management practices are in place for several resources including air, water and wildlife.

The BLM is actively engaging other agencies in its implementation of the CBNG program. Working group participants include both Montana and Wyoming BLM and DEQ. The USGS, USFS, NPS and Montana, Wyoming and South Dakota NRCS and Native American tribes are also included.

### **BUREAU PERSPECTIVE:**

There is a high level of regional interest in CBNG production with most concerns focused on water-related impacts.

### **CONTACT:**

David Breisch 406 233-3645

August 2, 2004

**THE COTEAU PROPERTIES COMPANY (COTEAU)  
COAL LEASE BY APPLICATION: WEST MINE AREA**

**PURPOSE OF THE BRIEFING DOCUMENT:**

The BLM received an application on January 18, 2002, to lease tracts of federal coal adjacent to the Freedom Mine in Mercer County, North Dakota. These tracts, which include some 5,600 acres and an estimated 90 million tons of lignite coal, are part of a larger mine extension. The total permit area will encompass some 17,000 acres of intermixed federal and non-federal coal reserves.

**ISSUES:**

The Coteau Properties Company is the lessee and operator of federal coal deposits at the Freedom Mine, which began operations in 1983. The proposed lease adjoins the Freedom Mine along its western boundary.

Due to its coal reserves and configuration, the West Mine Area provides a logical step to extend the life of the Freedom Mine. At the current level of production, the Freedom Mine can be maintained for approximately 30 years with coal from the West Mine Area.

**MAIN DECISION OR MESSAGE:**

The BLM is preparing a leasing Environmental Impact Statement. A Draft EIS was issued in April and the 60-day comment period closed at the end of July 2004. Because of changes to the Cultural Resources Management Plan, the BLM is now preparing a supplemental Draft EIS which will allow for further public comment. This document should be available for comments by fall 2004. The proposed federal tracts are considered suitable for mining according to the *North Dakota Resource Management Plan and EIS* (April 1988).

**BUREAU PERSPECTIVE:**

The BLM projects a low to moderate level of non-tribal public interest. Some tribes, however, have voiced concerns regarding disturbance of traditional cultural sites in the area of the proposed mine expansion.

**CONTACT:**

Lee Jefferis, Geologist, (701) 227-7713

## **GOLDEN SUNLIGHT MINE (GSM) AND MONTANA STATE COURT JUDGMENT**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

Golden Sunlight Mine, Inc. (GSM) mines and processes gold-bearing ore using facilities located on public and private lands near Whitehall, Montana. GSM has conducted mining and mineral processing activities under Operating Permit No. 00065 since 1975.

When the BLM and Montana Department of Environmental Quality (DEQ) issued a record of decision in 1998 for expansion of the Golden Sunlight Mine, the EIS analyzed a partial pit backfill alternative but it was dismissed after DEQ concluded, in part, that the alternative was not considered economically feasible. Environmental groups filed suit against DEQ claiming that the partial pit backfill alternative should have been selected as required by the Montana Metal Mine Reclamation Act. A 2002 Montana State court decision required that GSM submit a partial pit backfill plan. GSM submitted a Partial Pit Backfill Plan to the agencies in December 2002. Montana DEQ and BLM are working with a contractor to prepare a Supplemental Environmental Impact Statement (SEIS) to fully evaluate the environmental impacts and mitigation measures associated with partially backfilling the GSM pit. The mine is currently developing a permitted expansion, deepening the pit.

Bonding is a related issue. The mine bonding requirement would increase dramatically if GSM were required to partially backfill into the mine pit. It is impossible to accurately calculate a bonding level without doing additional analysis.

### **ISSUES:**

The Golden Sunlight Mine is a conventional truck and shovel open-pit mine. Approximately 10 million tons of rocks per year are excavated. Only 2.5 million tons of this total are ore, the remainder being waste rock. Approximately 300 million tons of wastes have been placed in waste rock dumps. The ore is milled using a vat cyanide process. Following processing, the mill stream is piped as a slurry to a lined tailings impoundment. An earlier impoundment did experience some leakage in the early 1980s. This was corrected through a series of pumpback wells. This impoundment has been reclaimed.

Because the waste rock at GSM has high potential for "acid rock drainage," effective reclamation of these wastes is crucial. Extensive monitoring of several slopes reclaimed between 1990-1992 has helped the mine and agencies determine what reclamation practices have been most effective. Surface water management is another critical factor in reclamation success and is an important part of the reclamation plan. Long-term water treatment is an integral part of the mine plan. GSM has posted a total bond of over \$50 million to cover reclamation costs.

### **MAIN DECISION OR MESSAGE:**

BLM and DEQ are continuing to prepare an SEIS to fully evaluate the impacts of the proposed Partial Pit Backfill Plan. The consequence of a long delay in preparation of the SEIS likely would mean premature closure of the mine and loss of approximately 100 jobs.

### **BUREAU PERSPECTIVE:**

Public interest in the mine is high. Golden Sunlight employs over 150 people and is an important source of revenue for Jefferson County. An SEIS Scoping Meeting was attended by over 200 people supporting the mine. In 2001 the mine produced 200,000 ounces of gold.

### **CONTACT:**

David Williams, Geologist, (406) 533-7655

## **OIL AND GAS ISSUES IN AND ADJACENT TO THE UPPER MISSOURI RIVER BREAKS NATIONAL MONUMENT**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

BLM will prepare a new analysis of 12 oil and gas leases within the Upper Missouri River Breaks National Monument that were issued under the 1988 West HiLine RMP.

In 2000, the Montana Wilderness Association (MWA) filed suit challenging BLM's issuance of three leases and a pipeline right-of-way to Macum Energy. The MWA alleged that both actions violated the National Environmental Policy Act (NEPA), Endangered Species Act (ESA), National Historic Preservation Act (NHPA), Federal Land Policy and Management Act (FLPMA), and Wild and Scenic Rivers Act (WSRA). The leases and pipeline are located inside and outside of the boundary of the Upper Missouri River Breaks National Monument. The three leases were issued effective November 1, 1999. The original complaint included seven leases, but MWA amended the complaint to include only three, narrowing the focus to include only leases in the Bullwacker area.

On March 31, 2004, Judge Donald Molloy of the Montana Federal District Court ruled in favor of the Plaintiffs.

A decision on what to do about the ruling was delayed until a July 8, 2004, court hearing where it was hoped the court would provide clarification. However, at the July 8 hearing the judge indicated that he was dissatisfied with the progress of both parties to the lawsuit. A full hearing has been scheduled for Jan. 14, 2005.

### **ISSUES:**

Judge's Order:

1. The BLM shall prepare an environmental impact statement (EIS) for the oil and gas leasing program that covers the three leases.
2. The BLM shall prepare an environmental assessment for the 1999 pipeline right-of-way.
3. The BLM shall prepare a valid biological assessment of the oil and gas leasing program in conjunction with the EIS process.
4. The BLM shall consult with all required entities, including nearby tribes, as required by the NHPA. Macum Energy, Inc. shall shut down the pipeline pending a decision on permanent injunctive relief. (Without objection from the plaintiff, Macum was subsequently given approval for continued use of the pipeline.)

Within the Upper Missouri River Breaks National Monument area, some 350 wells have been drilled since 1950, and 56 have produced at least some gas. With the combination of rough topography, scattered development, 320 and 640-acre spacing, limited roads, and remote location, the area has retained its characteristics of outstanding rugged beauty even with the existing gas production. Rising natural gas prices and improved drilling and completion techniques have made this area more attractive to industry recently.

### **MAIN DECISION OR MESSAGE:**

BLM wants to address the court's concerns as quickly, completely and efficiently as possible, and has determined that the best means of addressing those concerns is to include the oil and gas lease analysis in the ongoing Upper Missouri River Breaks National Monument Resource Management Plan. As a result, the originally scheduled release of the draft plan in the summer of 2004 did not occur. Best estimates are that the draft will be delayed 9-12 months. Concurrently, BLM is completing the needed work to address all other points in the judge's ruling.

Leases issued under the West HiLine RMP that are outside the monument will be addressed in a previously planned, new West HiLine RMP now scheduled to begin in 2006. There may be an opportunity to combine the North Headwaters (scheduled to start in 2005) with the new West HiLine, but even if combined, realistically we are still looking at a date in 2007 to resolve affected leasing issues outside the monument. There may be other options to deal with NEPA concerns outside the monument.

### **BUREAU PERSPECTIVE:**

In light of Judge Molloy's ruling, all leases based on the West HiLine Resource Management Plan (RMP) could be in jeopardy and could be challenged at any time. Preparation of the Draft RMP/Draft EIS had been ongoing while waiting for the July 8, 2004, hearing. However, with the serious potential implication as a result of the court ruling for the oil and gas program nationally, as well as within Montana, the RMP schedule needed to be altered to include the issues raised by the suit.

Any activity within the monument can be expected to have a high level of public interest. While natural gas production

and development are among the historic uses of this area, the MWA is concerned about drilling, and other environmental groups/individuals share MWA's position at least to some extent. Local residents and surrounding county governments generally support continued gas development in this area.

**CONTACT:** Don Judice Field Station Supervisor 406 791-7789

## **ZORTMAN AND LANDUSKY MINE RECLAMATION**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

The bonds posted for reclamation and water treatment at these bankrupt Montana gold mines is not adequate. The mines are located on about 1,200 acres of intermingled private and public lands near the Fort Belknap Indian Reservation in Phillips County.

After three years of environmental review, analysis, and consultation with the Fort Belknap Tribes, a Record of Decision (ROD) was issued in 2002 selecting final mine reclamation plans. The reclamation plans cost more than the funding available. In addition, both immediate and long-term funding is inadequate to maintain capture and treatment of acidic waters, no matter which reclamation plan is implemented. Reclamation work is underway and additional funds have been obtained to complete the earthwork requirements which will be finished in 2005. However, funding is still needed to maintain water treatment. Now that the bankruptcy process is complete, BLM has invoked its CERCLA authority in order to maintain the systems used to capture and treatment mine drainage and leaching solutions.

### **ISSUES:**

The mine owner/operator, Pegasus Gold Corporation, declared bankruptcy in 1998 and the bonds collected by the Montana Department of Environmental Quality (DEQ) have been funding reclamation (\$29.6 million for earthwork and a \$13.8 million water treatment trust fund). To date, the BLM has provided nearly \$5 million and the DEQ has provided \$1.4 million to assist with reclamation, excess water treatment costs, and preparation of the Supplemental EIS.

In 1998, the Interior Board of Land Appeals (IBLA) set aside BLM's reclamation plan decision and required additional consultation with the Fort Belknap government. The BLM, DEQ, EPA, and the Fort Belknap government re-evaluated the reclamation options and collaborated on a Supplemental EIS (SEIS). The Final SEIS on mine reclamation was released in January 2002, and the ROD was issued May 1, 2002. The preferred reclamation plans in the Final SEIS were estimated to cost \$76.9 million for earthwork and water treatment, or approximately \$33.5 million more than was available from the reclamation and water treatment bonds.

The Fort Belknap government was consulted on a draft ROD. Although they agree in principle with the preferred reclamation plans, the Council rejected the ROD because it did not include provisions for Fort Belknap to manage the reclamation, or funds for certain offsite environmental projects that would benefit the Reservation. The Tribes have appealed the BLM's ROD to IBLA. The Tribes also have litigation pending in both State and Federal court.

### **MAIN DECISION OR MESSAGE:**

The DEQ and BLM are presently managing the site and have conducted reclamation and water treatment activities since 1999. The reclamation earthwork is to be completed by the end of 2005.

The ROD selected the preferred reclamation plans from the Final SEIS contingent upon funding. The ROD also selected "backup" reclamation plans that can be completed with the available reclamation bonds. Of the \$33.5 million funding shortage identified in the ROD, \$22.5 million was required for earthwork and \$11 million to treat acid rock drainage. Due to efficiencies realized through the competitive bid process, and funding provided by BLM's abandoned mine land program, the shortfall in reclamation earthwork funds has been reduced to \$1.5 million (for work on private lands), down from the original \$22.5 million identified in the ROD. Therefore, BLM will be able to complete implementation of the preferred reclamation alternatives on the public lands.

A critical item is to obtain the funds needed for long-term water treatment. The deficit in the long-term water treatment trust fund has increased from \$11 million to \$12.4 million due to the loss in interest accrual. The long-term trust fund is supposed to generate enough revenue to fund water treatment indefinitely after year 2017.

Presently, the short-term water treatment bond provides \$731,000 each year (through 2017) to run the seepage capture systems and water treatment plants. Treatment costs in 2003 were about \$45,000 more than available from the bond. In the past BLM has provided money to the State to assist with the water treatment. However, this year BLM assistance is limited.

The BLM and DEQ support additional funding to implement the preferred reclamation plans and to maintain water treatment. The agencies have identified funding to support the water treatment trust fund as the first priority. A provision in the Interior appropriations bill provided for the establishment and funding of a long-term water treatment trust fund. However, that provision did not make it into the final bill.

The Federal Court in Missoula issued a ruling on June 29, 2004, granting summary judgement in favor of BLM on the

trust lawsuit that was filed by Fort Belknap in 2000. In addition, on January 29, 2004, the Tribes filed a citizen suit under the Clean Water Act over mine discharges against BLM, DEQ, and a patented (private) claim owner.

With the closeout of the ZMI bankruptcy proceedings in late 2003, the Zortman and Landusky mines are abandoned. In June 2004, the State Director signed an Action Memorandum to continue the capture and treatment of mine drainage and heap solutions as time-critical removal actions under BLM's delegated CERCLA authority. The CERCLA removal action is being conducted in close cooperation with the DEQ. BLM will continue consultation with Fort Belknap on the removal action.

**BUREAU PERSPECTIVE:**

Mine reclamation is a contentious issue with the Fort Belknap Tribes and state and national environmental groups. The Mineral Policy Center has often cited the Zortman-Landusky mine during the debate on Mining Law reform and the 3809 regulations. The mine was the topic of considerable interest during the last session of the Montana Legislature. The mine will again be in the spotlight during the upcoming election season with the initiative to repeal the cyanide-leaching ban on the ballot.

**CONTACT:**

Randy Heuscher, Supervisory Mining Engineer, (406) 896-5118; or Scott Haight, Nonrenewable Resources Advisory, (406) 538-1930.

## **BLACKFOOT COMMUNITY PROJECT**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

The Blackfoot Challenge, in partnership with The Nature Conservancy, is developing the Blackfoot Community Project as a community-based effort to guide the future ownership and management of key lands in the Blackfoot Valley that are currently owned by Plum Creek timber company. These lands are being purchased and re-sold by the Conservancy according to this community-driven plan. Some lands will go into public ownership and others to private ownership with safeguards to protect community and conservation values.

Given the strong community interest, The Nature Conservancy and Plum Creek reached an agreement in September 2003 on the sale of up to nearly 89,000 acres in the upper Blackfoot Valley over the next five years. Phase I involves about 41,000 acres for approximately \$30 million. Federal funds will be used for BLM and Forest Service acquisitions and the purchase of conservation easements by the U.S. Fish and Wildlife Service. BLM has received \$3 million and USFWS \$2 million in FY 2004 in LWCF funds to help fund Phase I of the project. The BLM and USFS have made out-year LWCF requests. The balance will be covered by philanthropic donations and funds generated from sales to private landowners.

### **ISSUES:**

The Blackfoot Challenge, comprised of local landowners, federal and state land managers, local government officials and corporate landowners, has been working in the Blackfoot Valley for 10 years to coordinate conservation efforts in the watershed. The Challenge is developing a disposition and management plan to guide the ownership and management of these lands over the long term, specifically addressing community values for recreational access, grazing, wildlife habitat, forestry, and economic stability.

An important consideration in the Blackfoot's diversity and rural character is that large landholdings in the watershed remain intact. Sixty percent is now in public ownership and the remaining 40 percent is made up of primarily large working ranches or large timberland holdings. Fragmentation of private lands by subdivision and development is a threat to wildlife habitat and the traditional agricultural and rural lifestyle of the watershed. Maintaining the rural lifestyle and protecting the natural resources of the Blackfoot are a top priority for the Blackfoot Challenge.

Community meetings were held in each participating community in the valley. All private landowners adjacent to the project lands were contacted, as some have expressed an interest in acquiring additional acreage. Ranchers with grazing leases on Plum Creek lands were also contacted, and they have indicated a critical need to continue to graze these lands. There was a strongly voiced desire to see these leases remain as grazing areas and to go to public ownership, if necessary, in order to continue traditional grazing usage. The desire to maintain intact working ranches is clear.

### **MAIN DECISION OR MESSAGE:**

At public meetings, Blackfoot Valley citizens and landowners expressed strong support for substantial public ownership of these lands to maintain historic public access, traditional grazing leases, and high natural resource values. They also encouraged ownership consolidation by adjacent public landowners to increase the effectiveness and efficiency of management activities such as grazing administration, forest management, noxious weed control, and public recreation management.

### **BUREAU PERSPECTIVE:**

BLM is only one public agency expected to acquire some of Plum Creek's acreage. Other agencies include the U.S. Forest Service, the Montana Department of Natural Resources and Conservation and the Montana Department of Fish, Wildlife and Parks. All agencies are active partners in the Blackfoot Challenge and are committed to collaboration and community involvement.

Senator Conrad Burns and Governor Judy Martz have voiced support for the project and applauded the cooperative effort required for a project of this magnitude.

### **CONTACT:**

Marilyn Krause, Public Affairs Officer, (406) 533-7617



## **BLACK-FOOTED FERRET AND PRAIRIE DOG MANAGEMENT**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

- The black-footed ferret is the most endangered mammal in North America and it is on the first list under the Endangered Species Act.
- In February 2000, the U.S. Fish and Wildlife Service (FWS) found that the black-tailed prairie dog was warranted for listing as a Threatened Species but named it a Candidate Species due to higher priorities. This designation falls under BLM's Special Status Species Direction, which means that any action we authorize, fund, or carry out cannot contribute to the need to list prairie dogs under the provisions of the Endangered Species Act.
- There is extensive prairie dog habitat on BLM lands throughout Montana; prairie dog towns in southern Phillips County and in southeastern Montana (Miles City Field Office) are crucial for planned black-footed ferret reintroduction efforts.
- Since recovery of the endangered ferret depends on healthy prairie dog populations, BLM is an essential player in the conservation of prairie ecosystems and the associated species.

### **ISSUES:**

- Under the Judith-Valley-Phillips Resource Management Plan (RMP), we have managed prairie dog towns to provide habitat for black-footed ferrets and associate species (mountain plover, burrowing owl, and ferruginous hawk), plus provide opportunities for recreational viewing and shooting.
- In cooperation with other agencies, we maintain the prairie dog habitat and distribution on BLM land within an area known as the 7km Complex at the 1988 level (26,000 acres of prairie dog towns: 12,346 BLM acres, 5,800 FWS acres, 2,012 state acres and 5,821 private acres).
- In July 1992, a disease believed to be sylvatic plague began to reduce the prairie dog population; by 1996, up to 80 percent of the prairie dogs in Phillips County were lost.
- In 1993, we began to discourage prairie dog shooting on BLM land to allow the prairie dog population to recover.
- In 1998, we imposed a voluntary shooting closure on 15 prairie dog towns (40 Complex and Pea Ridge).
- In October 1999, we formally closed 15 of the 228 (now 305) prairie dog towns on BLM lands in south Phillips County to recreational shooting.
- In 2001, the Montana Legislature passed a law allowing the Montana Fish, Wildlife and Parks (FWP) to manage the black-tailed prairie dog as a "species in need of management." Agricultural groups, environmental groups, and members of the Prairie Dog Working Group lobbied in support of this bill. The new FWP regulations for managing prairie dogs on public lands went into effect on March 1, 2002.
- Twenty ferrets were released in two prairie dog towns within the "40 Complex" on November 9, 2001. While monitoring with spotlights at night early in December, researchers located seven ferrets on the two original towns and on a third where none were released. Because spotlighting is not precise, the seven ferrets were considered to be the minimum number surviving.
- In the spring of 2002, two ferrets (a male and female) were found that survived the winter; the first litter of two was found in August 2002. Twenty-five more ferrets were released in November 2002.
- Five ferrets were found in the spring of 2003: four males and one female. A litter of at least four and maybe five kits was found in August of 2003. Twenty more ferrets were released in October 2003.
- In the spring of 2004 surveyers found a minimum of three ferrets.
- In June of 2004 plague was found within the "40 Complex" on one prairie dog town.

### **MAIN DECISION OR MESSAGE:**

Conservation actions are necessary to prevent the prairie dog from being federally listed and to assist with black-footed ferret recovery efforts.

### **BUREAU PERSPECTIVE:**

- The Predator Conservation Alliance, Defenders of Wildlife, the Nature Conservancy, and the National Wildlife Federation have asked BLM to manage prairie dogs on BLM lands for ferret reintroduction.
- Other groups such as the Phillips County Commissioners, Malta Chamber of Commerce, and local ranchers have asked BLM to manage prairie dogs or allow natural recovery according to the Judith Valley Phillips Resource Management Plan
- BLM has been an integral partner in the Montana Prairie Dog Working Group (made up of landowners, federal/state agencies and conservation groups) since its inception in 1996. We have also been a partner in the Montana Black-Footed Ferret Working Group (made up of state/federal agencies, and landowners in the Phillips County area) since its inception in 1984.

**CONTACT:**

Valerie Kopcsó 406 654-5124

## **GREATER SAGE-GROUSE CONSERVATION PLANNING STRATEGY**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

Growing concern about the status of sagebrush on western rangelands and declines in greater sage-grouse numbers have led to petitioning the US Fish and Wildlife Service to protect populations in western states under provisions of the Endangered Species Act (ESA). A decision about whether or not a listing is warranted is expected by December 30, 2004. BLM is providing FWS a report describing the agency's management authority and conservation efforts for sage-grouse.

Montana Fish, Wildlife and Parks initiated the Montana statewide workgroup, of which BLM is a member, in May 2000. The workgroup developed and released a draft *Management Plan and Conservation Strategies for Sage Grouse in Montana* (Plan). The final plan was officially adopted by Montana Fish, Wildlife and Parks in October 2004. Local implementation groups have been initiated in Dillon, Miles City and Glasgow.

### **ISSUES:**

BLM made a list of commitments in the Plan that includes support for local workgroups, data acquisition, habitat evaluations, and consideration of conservation actions. As BLM develops state-specific strategies for implementing sage grouse conservation, the Montana state agency-led Plan will provide the basis for identifying appropriate actions to minimize or eliminate threats to sage-grouse on BLM-managed lands.

### **MAIN DECISION OR MESSAGE:**

Loss of sagebrush-grasslands in some western states has approached or exceeded 50 percent. Habitat loss in Montana, in terms of quality or quantity, may not be as high as in other states, but is significant enough at least in part of the state to negatively influence greater sage-grouse numbers and population trends. More than half of the remaining greater sage-grouse habitat in Montana is found on public lands.

### **BUREAU PERSPECTIVE:**

The Director recognizes BLM's role in greater sage-grouse conservation and wants to avoid the need to list under the Endangered Species Act through proactive consultation and cooperation with the public. A *BLM National Strategy for Sage-grouse Habitat* (Strategy) has undergone public review and been finalized. This document is the framework for implementing sage-grouse conservation on BLM-managed lands. Montana BLM is working on the state plan in accordance with the national strategy.

Public interest is high because sagebrush is the dominant habitat type in Montana, and conservation has the potential to influence all programs.

### **CONTACT:**

Roxanne Falise, Wildlife Biologist, (406) 896-5025

## **GROVE CREEK PROPOSAL**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

On May 20, 2003, R.L.F Bighorn Properties, LLC filed a road right-of-way application with the Billings Field Office for four road ROW segments across public lands in the Grove Creek Ranch area. The private land to which the proponent is seeking access was subdivided into 20-acre parcels for the purpose of development; the ROWs would provide access to approximately 40 percent of the tracts.

On January 7, 2004, the Billings Field Manager issued a decision to RLF Bighorn Properties, LLC modifying the original cost recovery category from a Level IV to a Level V, which requires the applicant to complete an environmental impact statement if so desired. The decision is based on the proposal's high level of controversy as well as the potential for significant impacts to public land resources.

On April 29, 2004, RLF Bighorn Properties, LLC contacted the Billings Field Office to discuss any other alternatives besides pursuing a contractor for the development of an EIS. Other alternatives discussed were exchange opportunities which would look at trading private lands having high resource values for those selected (public) lands having a lower concern and would block up private land development in the area. The Billings Field Office is in the process of obtaining preliminary estimates of the tentative lands that would be involved and determining feasibility of the transaction. Continued coordination is occurring among Carbon County, the Crow Tribe Cultural Department, and local interests.

### **ISSUES:**

According to the survey report submitted by the cultural contractor, four sites would be impacted by the proposed action, all of which are classified as eligible or potentially eligible for the National Register. In addition, numerous Native American cultural sites exist within the project area, four of which may be impacted by project development. A 1994 report recommended that the entire Grove Creek area be declared a Traditional Cultural District eligible for the National Register.

Because creation of a Traditional Cultural Property District requires both a tribal definition as well as interpretation of feature density and distribution across the landscape, the BLM has opened consultation with the Crow Tribe Cultural Department.

Other identified impacts related to the proposal are:

- Wildlife displacement during construction activities and increased vehicle traffic.
- Interior pasture fence line dissection.
- Livestock watering pipelines running parallel to or under proposed routes.
- Sage Grouse leks and habitat considerations.
- Conflicts with existing block management boundaries.
- Existing oil and gas leases (federal and nonfederal surface).

After informal consultation with the U.S. Fish and Wildlife Service (USFWS) and a request for a list of threatened and endangered (T&E) species present in the general area, it has been determined that formal consultation would be appropriate. This recommendation is a result of anticipated cumulative impacts on T&E species resulting from the overall development of the area and not necessarily from the issuance of the ROWs.

### **MAIN DECISION OR MESSAGE:**

The Billings Field Office is currently analyzing both direct and cumulative impacts associated with the issuance of the ROWs across public lands to determine if the action is significant in nature.

### **BUREAU PERSPECTIVE:**

We have received several comments from the local community in opposition of the development. We are currently in formal consultation with the USFWS and are working on the Biological Assessment.

The project has received attention from local media and generated three congressional inquiries as it relates to public involvement opportunities and resource concerns.

### **CONTACT:**

Eddie Bateson, Supervisory Natural Resource Specialist, (406) 896-5241

August 2, 2004

## **MONTANA FUEL REDUCTION PROJECTS IN FY04**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

Montana plans to complete approximately 80 fuel reduction projects comprising 14,500 acres in mostly-forested areas in FY04. The purpose of the projects is to reduce fuels, improve forest health, and enhance public safety in the wildland-urban interface. Our FY04 fuels budget is just over \$5 million.

### **ISSUES:**

The challenge to completing these projects is largely weather-related, both short-term and long-term drought. We can easily meet our target if we get enough spring and fall burn windows during which to conduct the treatments.

### **MAIN DECISION OR MESSAGE:**

Montana is implementing four forestry and fuels stewardship contracts.

The fuels reduction projects are planned on a landscape level, taking into account other resource management objectives and requirements.

The projects will be completed using a combination of contracted and in-house labor and mechanical and prescribed burning methods.

### **BUREAU PERSPECTIVE:**

Most, if not all, of the fuel reduction projects could also be considered projects under the Healthy Forests Initiative.

### **CONTACT:**

Jim Gray, Fire Management Specialist, (406) 896-2911

## HEALTHY FORESTS INITIATIVE

### PURPOSE OF THE BRIEFING DOCUMENT:

The Healthy Forests Initiative, announced by President Bush in August 2002, arose from the need to make more timely decisions, provide for greater efficiency, and reduce the catastrophic effects of wildland fires on communities and the environment. It is tied very closely to the National Fire Plan and the 10-year Comprehensive Strategy.

### ISSUES:

Forest fuels have accumulated so significantly that fires no longer burn at natural temperatures or rates. The fires have a long-term effect and a significant impact on vegetation, soil, water, and wildlife resources. Federal, state, tribal and local governments are making unprecedented efforts to reduce the build-up of fuels and restore forest and rangelands to healthy conditions.

Each summer, thousands of acres are burned by wildland fires in the Northern Rockies. The larger fires require significant suppression efforts by incident command teams, miscellaneous overhead, wildland fire suppression crews, and aircraft and heavy equipment operations. Communities and residents near these fires are faced with potential loss of property and forced evacuations. Drought, epidemic insect outbreaks, and increasing woody fuel loadings are contributing factors.

The National Fire Plan, which was adopted in May 2002 by federal agencies and western governors in collaboration with county commissioners, state foresters, and tribal officials, calls for more active forest and rangeland management. It establishes a framework for protecting communities and the environment through local collaboration on thinning, planned burns, and forest restoration projects.

President Bush is also working with Congress on legislative changes designed to help federal agencies accomplish more timely, efficient, and effective implementation of forest health projects.

The Horsethief Hazard Fuels Reduction Project near Roundup, Montana, is one of 10 pilot projects based on guidance issued in December 2002 on the preparation of environmental assessments for forest-health projects (see *Horsethief Hazard* briefing paper for details.) Other administrative efforts announced in December 2002 include proposed changes in the regulations to: 1) "categorically exclude" certain fuels treatment projects on public lands from further environmental analysis in order to speed the implementation of projects; and 2) to clarify and expedite administrative review procedures.

In 2003, Public Law 105-277 was amended in order to provide Stewardship End Result Contracting authority to the BLM. This tool provides the Bureau with a mechanism to apply the values of timber and other forest products as an offset against the cost of services received on an approved stewardship project. It also provides an opportunity for multi-party monitoring of the project. The Healthy Forests Restoration Act, which the president signed in December 2003, is another means to focus agency efforts on fuels management.

### MAIN DECISION OR MESSAGE:

Director Kathleen Clarke supports this initiative. She states it will provide for expedited environmental reviews and full public review processes, while ensuring that the projects are carried out efficiently and effectively. She also believes it will preserve the principle of partnerships with local communities and local interests through the use of collaborative processes that include all stakeholders and partners at the local level.

### BUREAU PERSPECTIVE:

Public interest is high now and we expect it to remain high as the initiative moves forward. There is much support for measures outlined in the initiative, but there is also much opposition to some measures.

### CONTACT:

William Hensley, Forester, (406) 896-5042; or Jim Gray, Fire Management Specialist, (406) 896-2911.

## **HORSETHIEF HAZARD FUELS REDUCTION PROJECT**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

The Billings Field Office and Eastern Montana Fire Zone have begun a hazardous fuels reduction project in a wildland-urban interface area west of Roundup, Montana. The area is overstocked with ponderosa pine and juniper and a fire start there would present a risk to life and property. Between 50 and 100 structures are located near the area selected for treatment. The project area contains about 10,300 BLM acres, of which 3,000 are forested. The forested areas are being treated mechanically and with prescribed fire.

### **ISSUES:**

This project is one of the Departments of Interior and Agriculture's "test drive" projects of new guidance issued December 9, 2002, regarding the preparation of environmental assessments (EA) for forest-health projects. It is also a Healthy Forest Initiative project.

The Environmental Assessment for the project was completed in June 2003 and submitted to the White House Council on Environmental Quality for review. Public comment and review period began July 17 and ended August 20, 2003.

The cooperative project involves area landowners, rural fire departments, county government, industry, and the BLM. The BLM and other agencies have funds available to assist landowners with fuel reduction efforts and to help rural fire departments purchase equipment.

The first phase of the project has been completed on 405 acres using a combination of machine methods and hand crew cutting and piling. IDIQ (indefinite delivery, indefinite quantity) contracts, which included some local contractors, were used to accomplish the machine work. Fire suppression crews completed the hand cutting and piling. These activities reduced the fire hazard to the surrounding homes and approximately 75 buildings. The timber was cut to a specified spacing. The cut materials were placed in decks and sold as saw logs, pulp and firewood. Machine and hand slash piles are curing and will be burned during the winter when snow depths are sufficient. Timely moisture has allowed the treatment area to establish growth and increase plant vigor.

Preparation of the next treatment area, consisting of about 440 acres, is underway with layout and tree marking complete. Treatment will consist of a combination of machine and hand cutting/piling activities.

A 100-acre parcel of untreated fuels in an adjacent treatment unit has been opened to firewood permits. Firewood permits are sold to facilitate the removal dead and down woody materials in this unit to reduce fire potential and benefit local residents.

In order to maintain the conditions created by the proposed treatment, the area will need to be retreated in 10-20 years.

### **MAIN DECISION OR MESSAGE:**

In addition to the Horsethief project, Montana BLM will continue to identify projects to implement the Healthy Forest Initiative in collaboration with other federal agencies, state, tribal and local governments, interest groups, local fire organizations, private landowners, and permittees.

### **BUREAU PERSPECTIVE:**

Through public comment and community meetings, most residents have indicated support of the project and have expressed an interest in reducing fuels on their adjacent private property.

Some Horsethief area residents are opposed to the project because they don't want the "natural state" of the area disturbed or because they question whether the project will be effective in protecting private property if private landowners don't also implement fuels reduction projects.

### **CONTACT:**

Robert Meidinger, Supervisory Range Technician, (406) 896-5247

## **EXEMPTION AREA WILDLAND-URBAN INTERFACE PROJECT**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

In 2001, the South Dakota Field Office began preparing a plan to address hazardous fuels buildup in the wildland-urban interface in the Exemption Area. The Record of Decision was signed in May 2003.

### **ISSUES:**

The Exemption Area, in the northern Black Hills in South Dakota, consists of 22,530 acres that were exempted from the Black Hills National Forest due to the complex mineral survey and public land configuration. The BLM administers federal lands (5,220 acres) within the Exemption Area. The rest of the area is private land.

Within the Exemption Area of the Black Hills are several “communities at risk” including Lead, Deadwood, Central City, Pluma, and Englewood as well as numerous rural subdivisions. There are 2,675 acres of BLM-administered forested lands within half a mile of these communities.

In 2003, the Wildland-Urban Interface Plan was completed and implementation began by treating the Fire Containment Zones – treatment buffers along existing roads or trails that would provide safe access for fire crews – and decreasing standing dead trees in the Grizzly Gulch fire area within half a mile of Deadwood, South Dakota.

Further treatments of commercial and non-commercial treatments will continue throughout this area to decrease the fuel loading. An additional issue is increased mountain pine beetle infestations related to the close proximity of the Exemption Area to the Beaver Park area on the Black Hills National Forest.

### **MAIN DECISION OR MESSAGE:**

Fuels reduction commercial sales began in the Nevada Gulch area in the fall of 2003 and continue through 2004. Many of these sales are adjacent to areas outside of the Wildland Urban Interface that are being treated commercially because of mountain pine beetle infestations.

In 2005, marking will begin for the next area of precommercial and commercial timber removal around Deer Mountain and the community of Englewood. Removal of fuels from this area should begin in summer/fall of 2005.

We should complete the first round of treatments in the Exemption Area by the end of 2008 with follow-up treatments of prescribed fire and other non-commercial means the following years.

### **BUREAU PERSPECTIVE:**

This planning process as well as the implementation is a collaborative effort among the BLM, Forest Service, South Dakota Division of Forestry, South Dakota Division of Wildland Fire Suppression, Lead and Deadwood city fire departments, Lawrence County Fire Board, and private landowners.

### **CONTACTS:**

Marian Atkins, Field Manager, (605) 892-7001; Terry Chaplin, Fire Management Specialist, (605) 720-0745; or go to [www.mt.blm.gov/sdfo/pages/eap/index.html](http://www.mt.blm.gov/sdfo/pages/eap/index.html).



## **MONTANA BLM LAND EXCHANGE PROGRAM**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

The Montana/Dakotas BLM has been pursuing land exchanges within several of its field offices since the early 1980s. Our past exchanges have resulted in a net decline of more than 87,000 acres of public land. The land leaving BLM administration generally goes into private ownership. In addition, BLM land was used as the trading stock to implement the Crow Boundary Settlement Act.

### **ISSUES:**

#### **Past Efforts:**

We have acquired about 165,000 acres of nonfederal land in exchange for about 252,000 acres of public land. In recent years many of these were multi-phased exchange proposals developed with facilitators through which numerous public land parcels were conveyed to a number of different landowners (usually adjoining landowners who desired to own the public land parcel) in exchange for a single private land parcel. The larger assembled, facilitated land exchanges, such as the recently completed Axolotl Lakes and the Ward Ranch exchanges, involved a ratio of 3 to 10 acres of public land in exchange for one acre of private land.

Ward Ranch Land Exchange - This facilitated, assembled, multi-phased proposal provided benefit for recreation and wildlife management along Hauser Lake near Helena. Phase I, completed in June 2002, involved exchanging 1,783 acres of public land for 535 acres of the ranch. The final phase (Phase II) was completed in February 2004, with 6,487 acres of public land exchanged for 969 acres of the ranch.

#### **Current Efforts:**

North Chinook Land Exchange -- This is a facilitated, assembled, multi-phased proposal that will consolidate into public ownership land surrounding the North Chinook Reservoir in Blaine County to enhance public access, recreation opportunities, and resource management on the land. Phase I, scheduled to be completed in the summer of 2004, involves 1,542 acres of public land and 1,920 acres of private land.

**Buckner Land Exchange--** Through this exchange, 363 acres of federal land would be traded for 383 acres of private land and a road easement to ensure for public access and continued use of an existing road into an area comprising BLM, USFS and state lands totaling 12,240 acres in Jefferson County, Montana. This single transaction exchange of lands could be completed by the spring of 2005.

### **MAIN DECISION OR MESSAGE:**

Land exchanges help us to accomplish three major goals: 1) bring lands with high public resource values into public ownership; 2) consolidate land ownership patterns to facilitate more effective and efficient management of resources and bureau programs; and 3) dispose of public land parcels identified through our land use plans.

### **BUREAU PERSPECTIVE:**

Public interest varies from one exchange to another and is generally stronger in the actual vicinity of exchange parcels.

### **CONTACT:**

Craig Haynes, Realty Specialist, (406) 896-5040

## **NOXIOUS WEEDS**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

Noxious weeds continue to spread on all lands, reducing natural biodiversity and vegetation production, and leading to soil erosion. BLM noxious weed-infested lands increased from about 91,000 acres in 1985 to about 468,000 acres in 2003.

In 2003, the BLM treated about 354,000 acres using integrated weed management (IWM) methods in cooperation with other landowners and managers: 11,000 acres - chemical; 35,000 acres - biological weed control agents collected, released or expanded; 247,000 acres - biological weed control agents established prior to 2003; 61,000 acres - sheep or goats; 115 acres - manual or mechanical. In some infested sites more than one treatment method is used on the same acreage (i.e., sheep & biological weed control agents). An additional 372,000 acres were inventoried for weed infestations and 107,000 acres were monitored for the effectiveness of the weed management treatment method or methods.

### **ISSUES:**

The BLM's weed management program involves cooperative efforts with other federal and state agencies, universities, county agencies, high school agriculture science classes and private landowners. There is heavy emphasis on using prevention techniques to protect non-infested lands. These IWM programs average less than \$15 per acre for the BLM.

Each year the BLM releases an increasing number of biological weed control agents in more and more areas. Some of these release sites will be used as insectories for joint efforts among federal, state and county agencies to further establish biological weed control agents within the three-state area, and possibly throughout western United States.

At least one biological control agent is established on at least one of the weed species on about 247,000 weed-infested acres. However, most weed species require a complex of 5 or more to contain them at a suitable level.

The use of biological control agents is proving to be a very cost effective method for management of some noxious weed species such as leafy spurge, but it is only one segment of IWM. About 11,000 noxious weed-infested acres were treated chemically and more than 61,000 acres of leafy spurge were contained with sheep or goats.

The BLM has cooperated in preventative and educational programs including: noxious weed videos, brochures, posters and other materials; certified weed seed free forage programs; biological weed control demonstration sites; IWM tours; weed workshops, etc. The Montana/Dakotas BLM staff will continue to provide training and technical assistance to various weed management staffs. We will also support and follow the guidelines set forth in the January 2001 Montana Weed Management Plan in conjunction with other county, state and federal agencies.

### **MAIN DECISION OR MESSAGE:**

Montana BLM is committed to IWM, which includes prevention, education, awareness, biological agents (insects and plant diseases), cultural practices, chemicals, physical, mechanical, re-vegetation and the use of domestic animals. To comply with both federal and state law, the BLM will continue to use an IWM approach. It is imperative that the BLM and other cooperators continue their efforts or the "Weed Battle" will be lost.

Montana BLM has been using Range Improvement and MLR funds for noxious weed management. Weed management will continue to be a very high priority, but lack of available funding will continue to inhibit efforts at all priority levels. MLR funds from appropriate activities must increase if current weed management programs and levels of success are to be maintained.

### **BUREAU PERSPECTIVE:**

Most landowners are concerned about the spread of noxious weeds onto their land. The method of control of noxious weeds is their main concern. Weed management cooperative groups and individuals will continue to petition congressional representatives for assistance with this problem.

**CONTACT:** Theresa Hanley 406-896-5068

## **WILD HORSE AND BURRO PROGRAM**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

- The Wild Horse and Burro Program has two primary goals: managing the wild horse herd in the Pryor Mountains; and adoption of excess animals from the Pryors and other herd management areas.
- The BLM removed 7 horses from the Pryor Range in September 2003; all the animals were successfully adopted.
- Fertility control was initiated in the herd during September 2001. Currently, 36 yearling and two-year old mares have received a one-year PZP vaccine. The intent is to vaccinate young mares in these age classes every year in order to allow them a chance to fully develop prior to becoming pregnant. Fertility control in older mares (14 years of age and older) began in 2003. The intent is to allow these mares a year or more of existence on the range in better physical condition. The long-term intent will be to contracept these mares for the remainder of their lives.
- Use of fertility control on the Pryor range continues after careful consideration of natural mortality by mountain lion predation. During the winter of 2004 almost 70% of the yearlings were lost and during the summer of 2004 more than 50% of the foals were lost.

### **ISSUES:**

- The Wild Free Roaming Horse and Burro Act of 1971 mandates the BLM to manage wild horses and burros.
- The Act directs the BLM to manage self-sustaining herds in balance with available resources under a multiple use prescription.
- The Act also directs the BLM to remove excess animals and place them with qualified adopters.
- In addition, BLM is responsible for compliance inspections and titling.
- Montana's only free-roaming wild horses are in the Pryor Mountains, about 60 miles south of Billings.
- These animals are reputed to be of Spanish ancestry, as evidenced by genetic studies.
- The Pryor Mountain Herd Area Management Plan, written in 1984 and revised in 1992, guides management of the Pryor horses.
- Excess wild horses from the Pryor Range are usually adopted at the Britton Springs Administrative Site at the base of the Pryors. In 2003, 7 young stallions were successfully adopted using BLM's internet adoption program.
- Since 1984, the BLM has placed more than 15,000 horses with qualified adopters in Montana/Dakotas.

### **MAIN DECISION OR MESSAGE:**

- The BLM continues to manage the Pryor herd for optimum benefits to the animals and the fragile ecology.
- We continue with a major revision of the Herd Management Area Plan to incorporate results of recent genetic viability studies, use of immunocontraceptive (fertility control) techniques for population control, ecosystem modeling, and updates on ecological site inventories.
- The BLM will also continue with the well-reasoned application of fertility control to the herd, providing both humane, genetic and population control benefits.

### **BUREAU PERSPECTIVE:**

- Local and national groups often get involved in issues surrounding the Pryor Mountain horses.
- The Pryor Mountain Mustang Association gives strong local support.
- Some groups are interested in minimizing any human management of the horses, some are concerned primarily about humane treatment of the horses, and some are concerned about the economics of the horse program.
- Wild horse issues attract national and international media attention.
- Sen. Burns' recent legislation allowing sale authority should have little to no effect on the Pryor herd. Historically, all Pryor mustangs have been placed through adoption because of the high interest in the herd. Under our selective removal policy and due to predation and the contraceptive program for older mares, we don't anticipate gathering any horses older than 10.

### **CONTACT:**

Linda Coates-Markle    406 896-5223

## **BLM'S DROUGHT POLICY**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

Extreme drought conditions over the last several years have impacted most of the West, including Montana. Current data supports concern about an increasing hydrologic drought, which would impact rivers, streams, springs and wells. The current agricultural drought, especially in the southern half of Montana, raises concerns for soils, vegetation, wildlife, recreation and animals grazing on BLM rangelands.

### **ISSUES:**

Because of the widespread and extreme effects of the drought of 1988, Montana BLM developed and issued BLM's first draft drought policy in October 1988. After incorporating comments from the public, academia, and Montana stockgrowers, we adopted that policy in January 1989 and update it every year or as needed. In 2003, BLM's Washington Office issued a bureauwide policy to reflect changes in regulations related to drought or grazing.

Field assessments verify and augment data collected from remote automated electronic instruments about rainfall, snowpack, stream flow, reservoir water supplies, and vital soil moisture at frequent intervals. Information from several agencies is summarized and discussed monthly by the Governor's Drought Advisory Committee. Field personnel continue to observe weather conditions and collect appropriate data. Current data indicates a high concern for most of Montana, especially the southern half of the state.

### **MAIN DECISION OR MESSAGE:**

The Montana BLM's policy, which is supported by the bureauwide drought policy, presents existing laws and regulations used to guide livestock grazing in Montana and the Dakotas during periods of drought. The BLM has provided copies of this policy to grazing lease holders in the three states several times during the last decade. Montana's Drought Policy may be viewed at <http://www.mt.blm.gov/faq/DroughtPolicy.pdf>

Under the drought policy, BLM assesses soil moisture levels necessary for plant growth, effective precipitation, environmental demands, plant vigor, and the amount of available water and forage prior to and during the grazing season. Emphasis is placed on allotments having multiple resource values, grazing problems, and a high percentage of federal land. If resource assessments indicate a need to delay livestock turnout, reduce livestock numbers, or close areas to grazing, BLM works closely with livestock operators to minimize impacts to their operations. Adjustments in fee payments, including any appropriate refunds, will be made on a case-by-case basis. By providing guidance during winter and spring months, the BLM helps land managers and permittees avoid last-minute economic surprises, improve grazing strategies, and reduce land use impacts.

### **BUREAU PERSPECTIVE:**

Most livestock operators, Montana Stock Growers' Association, local and state grazing districts, and all resource advisory councils support the BLM policy on grazing during periods of drought. Montana BLM is an active participant in the Governor's Drought Advisory Committee as well as local drought advisory committees and groups. When available and applicable, the BLM provides soil moisture and soil temperature conditions from remote automated weather stations (RAWS) located throughout the state. This information, combined with weather and climate data from other agencies and when used with GIS soil survey data, assists Montanans in making decisions affecting their farms and ranches.

Montana drought information is available from the state's Natural Resource Information System (NRIS) at <http://nris.state.mt.us/drought>. Information on a national scale may be obtained at <http://enso.unl.edu/>

### **CONTACT:**

William Volk, State Soil Scientist/Range Imp & Monitoring Program Lead, 406-896-5029

**MONTANA AIR NATIONAL GUARD (MTANG) TRAINING RANGE,  
BLAINE & PHILLIPS COUNTY**

**PURPOSE OF THE BRIEFING DOCUMENT:**

The MTANG proposed developing an air-to-ground training area within the Hays Military Operating Area (MOA) in Blaine County about three miles west of the Fort Belknap Reservation and two miles north of the Upper Missouri River Breaks National Monument. It included 720 acres of public land in scattered tracts, most of which are identified for disposal in the West HiLine Resource Management Plan (RMP). The Air Force issued an Environmental Impact Statement (EIS) in February 2002. The MTANG planned to establish the leases with the local landowners prior to going forward with DOI legislative action to transfer the public land. The estimated timeframe to have the 30-year leases in place was April/May 2004.

In March 2004, negotiations with the land owners broke off and now the MTANG is contemplating developing Alternative 3 in southern Phillips County; T. 26 and 27 N., R. 31 E, about 20 miles south of Malta. Discussions with the landowners have started. Malta Field Office resource specialists met with a MTANG representative on July 9.

**ISSUES:**

The Hays MOA has been used for air-to-air training by the 120th Fighter Wing (FW), based at the Great Falls International Airport, for more than 25 years. Due to a mission change, the 120th FW is seeking a Montana location for essential air-to-ground training. Currently this training is accomplished by flying to training ranges in Utah and Idaho. In 1998, the Air Force and tribal officials began to discuss the possibility of developing a training range near the Fort Belknap Reservation that would provide local training opportunities as well as economic benefits.

The proposal would enhance use of the Hays MOA to include a target range for bombing and strafing by F16 aircraft. It would consist of a small controlled range in which up to four aircraft at a time would practice in coordination with a range control staff who would coordinate the activity, score accuracy, and monitor the range for safety. The munitions used would be inert: small "dummy" practice bombs and nonexplosive bullets. An impact area of about 640 acres would be laid out with dispersed targets and strafe pits. Around the impact area would be a larger safety zone (3x5 miles) with restricted public access. Support facilities would also be built in the safety zone. Employment opportunities include range management, target construction and maintenance, security, road maintenance, fire break maintenance, fire suppression, snow removal, communications and vehicle maintenance.

**MAIN DECISION OR MESSAGE:**

The BLM was a cooperating agency in the EIS along with other state and federal agencies and the Fort Belknap Community Council. Dwight Hemple of the Department of the Interior is the current federal contact for facilitating a transfer and has draft legislative language. If this site is selected, the land use plan (Judith-Valley-Phillips RMP) will have to be amended to reflect the range authorization.

The proposed area would include about 4,300 acres of public land. Major resource values present on or near the public land tracts include grazing operations; dispersed recreation; and antelope, sage-grouse, mountain plover, prairie dog, and grassland bird habitat. As the EIS was being written, mountain plovers were being considered for listing under the Endangered Species Act. Since then, the Fish and Wildlife Service has decided not to list the mountain plover, but now the sage-grouse is being considered for listing. The proposed site is within extensive sage-grouse habitat which will require additional analysis before this site is approved.

**BUREAU PERSPECTIVE:**

The MTANG has worked closely with local BLM offices, landowners, state and local elected officials, tribal government, Montana's congressional delegation, and Defense and Interior staff. The proposal was publicized in major Montana newspapers in late 1999, with initial public scoping meetings in six communities. The Draft EIS was released August 3, 2001, followed by public hearings in Malta, Ft. Belknap, Lodgepole and Chinook. The public comment period closed September 24, 2001. A Fort Belknap traditional society expressed opposition to the proposal and a few comments on the Draft EIS were negative. There is strong support from county governments and most local residents.

**CONTACT:**

Rich Adams, Supervisory Natural Resource Specialist, (406) 654-1240

## **MONTANA ARMY NATIONAL GUARD (MTARNG) WITHDRAWAL AT LIMESTONE HILLS TRAINING AREA**

### **PURPOSE OF THE BRIEFING DOCUMENT:**

The MTARNG has received approval from the Department of Defense/Army to file an application (to be submitted by the Corps of Engineers) to withdraw approximately 20,000 acres of BLM-administered land about 3 miles west of the Missouri River near Townsend in Broadwater County, Montana.

### **ISSUES:**

MTARNG performed training exercises at the Limestone Hills since the 1950s under special land use permits (SLUPs) until 1984 when a 30-year right-of-way was issued to authorize the use. Eighty-eight percent of the range is administered by the BLM, with the remainder under state and private ownership. Live fire training at the range has included helicopter, tank, artillery, mortar and Bradley Infantry vehicle gunnery. The types of weaponry ranged from small arms to 155 mm artillery, all of which have been fired into the impact area. Military training over the years has resulted in unexploded ordnance (UXO) contamination, particularly within the interior 5,000-acre impact area, though UXO has also been recovered outside that area. In 1993, COE experts determined that the area south of the 2.75-inch rocket safety fan was "widely contaminated" with UXO. Based on BLM policy, the Butte Field Office (BFO) implemented an emergency closure on the impact area. The MTARNG was also advised that its R/W for the range would not be renewed upon expiration in 2014, and the only way to assure its continued use of the area was through a withdrawal.

Continental Lime (now Graymont Western) filed mining claims on lands within the R/W area in the early 1980s when it was authorized by SLUP or the R/W. In 1992 and again in 1995, Graymont filed mining plan amendments resulting in an approved expansion of its operations further into the rocket firing fan area. In an agreement facilitated by the Montana Consensus Council, the MTARNG has agreed to clear UXO from the expansion area so mining can continue under the current safety plan. The BFO recently reviewed a "Safety, Health and Emergency Response Plan" submitted by MTARNG that would allow Graymont to conduct exploratory drilling south of and into the rocket firing fan. The plan has been approved by DoD Explosives Safety Bureau (DDESB). The DDESB must release the area for mining before the BLM can authorize exploration. Graymont is concerned that the current rate of UXO clearance may not meet its exploration needs. Graymont filed 36 additional claims in September 2003.

A site tour was conducted July 2002, with the following entities represented: Butte Field Office; BLM Washington Office military liaisons; several members of the MTARNG including the Chief of Staff; a Pentagon representative; and the plant manager for Graymont Western U.S Inc. mining company.

### **MAIN DECISION OR MESSAGE:**

The BLM is a cooperating agency for the project legislative environmental impact statement (LEIS), which has been contracted by MTARNG to Tetra Tech based in Helena, Mont. Public scoping for the EIS has begun, including a working group process. The schedule calls for a draft LEIS in March 2005.

The Butte Field Office is attempting to finalize an interagency agreement with MTARNG which defines roles and responsibilities. The National Guard Bureau (NGB) in Washington, D.C., does not believe it can legally reimburse the Butte Field Office for its costs associated with processing the withdrawal, and discussion continues. The Butte Field Office is providing resource information to Tetra Tech in preparation of the EIS. The EIS will result in Finding and Recommendations to the WO and Secretary of Interior. The action will require an amendment of the Headwaters RMP.

In late June 2004 the MTARNG shared its proposed action with the public at two public meetings and a stakeholder meeting. The proposal is for MTARNG to manage all lands and resources within the training range except minerals. Members of the public who attended the meetings expressed concern with the current proposal.

### **BUREAU PERSPECTIVE:**

Public interest is expected to be high. The withdrawal would affect PILT payments, recreationists/hunters, and could impact several grazing allotments, depending on how the resource management plan for the firing range is structured after the EIS is completed. There is also potential for the validity of some of the mining claims to be affected by the withdrawal.

### **CONTACT:**

Steven Hartmann, Supervisory Land Use Specialist, (406) 533-7671

